Duke, Daphne 274615

From: Kirtley, Penny C. <Penny.Kirtley@spiegelmcd.com>

Sent: Wednesday, February 21, 2018 3:59 PM

To: Duke, Daphne

Subject: FW: Petition to Intervene on behalf of The City or Orangeburg, SC 2017-370-E

Attachments: Petition to Intervene on behalf of The City or Orangeburg, SC 2017-370-E.pdf

Dear Ms. Duke,

I spoke with you on the phone this afternoon.

Would you please file the attached document in docket number 2017-370-E? Also, would you kindly send me a receipt or acknowledgement saying that it has been filed?

We've served it on all parties by email or U.S. mail.

Thank you very much for helping with this.

Penny

PENNY KIRTLEY | 202.879.2039 Administrative Legal Assistant

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#### SPIEGEL & MCDIARMID LLP

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From: Kirtley, Penny C.

Sent: Wednesday, February 21, 2018 3:55 PM

To: 'fknapp@knappagency.com'; 'matthew.gissendanner@scana.com'; 'jnelson@regstaff.sc.gov';

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'rtyson@sowellgray.com'

Subject: Petition to Intervene on behalf of The City or Orangeburg, SC 2017-370-E

Please find attached a Petition to Intervene on behalf of The City or Orangeburg, SC that is being filed in docket number 2017-370-E.

PENNY KIRTLEY 202.879.2039

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## BEFORE THE STATE OF SOUTH CAROLINA PUBLIC SERVICE COMMISSION

IN RE:

Joint Application and Petition of South Carolina Electric & Gas Company and Dominion Energy, Incorporated for Review and Approval of a Proposed Business Combination between SCANA Corporation and Dominion Energy, Incorporated, as May Be Required, and for a Prudency Determination Regarding the Abandonment of the V.C. Summer Units 2 & 3 Project and Associated Customer Benefits and Cost Recovery Plans

Docket No. 2017-370-E

# PETITION TO INTERVENE ON BEHALF OF THE CITY OF ORANGEBURG, SOUTH CAROLINA

Pursuant to Public Service Commission Rule 103-825, 23 S.C. Code Ann. Regs. 103-825, and other applicable provisions of the Commission's Rules of Practice and Procedure, the City of Orangeburg, South Carolina ("Orangeburg") hereby files this Petition to Intervene in the above-captioned proceeding. In support of this Petition, Orangeburg states as follows:

- 1. By their joint application, South Carolina Electric & Gas Company ("SCE&G") and Dominion Energy, Inc. seek approval of a proposed business combination between SCANA Corporation and Dominion Energy, Inc.
- 2. Orangeburg is a municipality in the state of South Carolina with a population of approximately 14,000. Through its enterprise function, the Orangeburg Department of Public Utilities ("DPU"), Orangeburg serves the electric power needs of

approximately 25,000 residential, industrial and commercial customers in the City of Orangeburg and greater Orangeburg County—about 75,000 people. Orangeburg DPU has an annual peak load of approximately 182 megawatts.

- 3. Orangeburg has a limited amount of generation and a modest allocation of Southeastern Power Administration power. In order to meet its power supply needs reliably, Orangeburg must purchase wholesale power. It has purchased power from SCE&G and its predecessor companies for more than 100 years. Orangeburg currently meets its supply needs through a long-term requirements arrangement with SCE&G under a Power Supply Agreement that ends December 31, 2022 (although it can be extended by SCE&G one year to December 31, 2023) ("Orangeburg PSA"). Following the expiration of Orangeburg's power supply agreement with SCE&G, Orangeburg will be a potential customer of SCE&G.
- 4. Because the subject matter of the Application under review in this docket impacts Orangeburg's access to future power supply at reasonable rates, Orangeburg has a substantial and material interest in the subject matter of this proceeding. Therefore, pursuant to Commission Regulation 103-825(A)(3), 23 S.C. Code Ann. Regs. 103-825(A)(3), Orangeburg should be permitted to intervene and participate fully in this docket and any hearing that may be scheduled in this matter.
- 5. Granting Orangeburg's request to intervene in this proceeding is in the public interest, is consistent with the Commission's policy to encourage maximum public participation on issues before it, and should be allowed so that a full and complete record can be developed. No other party can adequately represent Orangeburg's interests in this matter.

- 3 -

6. Pursuant to Rule R. 103-804(T) of the Commission's Rules of Practice and Procedure, Orangeburg is represented by counsel in this proceeding:

James F. Walsh, Jr. 1436 Amelia Street Orangeburg, SC 29116 Telephone: (803) 534-6061 James N. Horwood Peter J. Hopkins Stephen C. Pearson Jessica R. Bell

Spiegel & McDiarmid LLP 1875 Eye Street, NW

Suite 700

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WHEREFORE, Orangeburg requests that it be allowed to intervene in this docket and all proceedings incident thereto, including the right to: appear as a party; engage in discovery; make motions; participate in hearings by offering testimony and exhibits, and cross-examining witnesses; and receive service of all notices, documents, exhibits and data submitted by all parties and the Commission's staff.

Respectfully submitted,

### /s/ James F. Walsh, Jr.

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Attorneys for the Department of Public Utilities of the City of Orangeburg, South Carolina

February 21, 2018

### CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing document to be served on the parties listed below by U.S. mail and/or electronic mail:

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Dated this 21st day of February, 2018, at Washington, DC.

/s/ James N. Horwood

James N. Horwood Attorney